

REMARKS

Claims 1-12, 24-33, 44-53, 64, 66 and 68-80 are pending. The Office Action dated October 10, 2007 in this Application has been carefully considered. The above amendments and the following remarks are presented in a sincere attempt to place this Application in condition for allowance. Claims 24, 26, 28-33, 44, 46, 48-53, 64, 66, 69, 70, 72, 74-76 and 80 have been amended in this Response. Claims 25, 45 and 71 have been cancelled in this Response. Applicant wishes to thank the Examiner for an indication that Claims 1-12, 25-33, 45-53, 68, 71 and 72 are in condition for the allowance. Reconsideration and allowance are respectfully requested in light of the above amendments and following remarks.

Claims 74-76 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite or incomplete. Specifically, the Examiner alleges that Claims 74 and 76 omit essential structural cooperative relationships, and that “sacrificial material” in Claim 75 lacks antecedent basis. Claims 74-76 have been amended to recite the relationship between the atmosphere, temperature and sacrificial material and the device. Support for these amendments may be found in the original application, for example, in the descriptions of Figures 1-3. Regarding the rejection of Claim 75, Applicant notes that Claim 70 has been amended to include “removing a sacrificial material” and now provides antecedent basis. Applicant requests that the 35 U.S.C. § 112, second paragraph, rejections of Claims 74-76 be withdrawn.

Claims 24, 44, 64, 66, 69, 70, 73 and 77-80 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,485,037 to Marrs (“Marrs”). Claim 75 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Marrs. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicant respectfully requests that the rejections be withdrawn.

Rejected independent Claim 24 has been amended to incorporate the limitations of allowable Claim 25, rendering the rejection of Claim 24 moot. In light of the amendment to Claim 24, Claim 25 has been canceled, and Claims 26 and 28-33 have been amended to reflect dependence from Claim 24. Accordingly, Applicant requests withdrawal of the 35 U.S.C. § 102(b) rejection of Claim 24 be withdrawn and that Claim 24 be allowed.

Rejected independent Claim 44 has been amended to incorporate the limitations of allowable Claim 45, rendering the rejection of Claim 44 moot. In light of the amendment to Claim 44, Claim 45 has been canceled, and Claims 46 and 48-53 have been amended to reflect dependence from Claim 44. Accordingly, Applicant requests withdrawal of the 35 U.S.C. § 102(b) rejection of Claim 44 be withdrawn and that Claim 44 be allowed.

Rejected independent Claim 70 has been amended to incorporate the limitations of allowable Claim 71, rendering the rejection of Claim 70 moot. In light of the amendment to Claim 70, Claim 71 has been canceled, and Claim 72 has been amended to reflect dependence from Claim 70. Accordingly, Applicant requests withdrawal of the 35 U.S.C. § 102(b) rejection of Claim 70 be withdrawn and that Claim 70 be allowed.

Rejected dependent Claims 73 and 77-79 depend from and further limit Claim 70. Hence, for at least the aforementioned reasons that Claim 70 should be deemed to be in condition for allowance, dependent Claims 73 and 77-79 should also be deemed to be in condition for allowance. Applicant respectfully requests that the rejections of dependent Claims 73 and 77-79 also be withdrawn.

Rejected independent Claims 64, 66, 69 and 80 have been amended to recite “removing a sacrificial material from within the housing through the at least one aperture,” which the Examiner has indicated is allowable subject matter and is not taught by the cited art. Support for this

amendment may be found in the original application, for example, in the descriptions of Figures 1-3. In view of the foregoing, it is apparent that the cited reference does not teach the unique combination now recited in amended Claims 64, 66, 69 and 80. Applicant therefore submits that amended Claims 64, 66, 69 and 80 are clearly and precisely distinguishable over the cited reference in a patentable sense, and are therefore allowable over this reference and the remaining references of record. Accordingly, Applicant respectfully requests that the rejections of amended Claims 64, 66, 69 and 80 under 35 U.S.C. § 102(b) be withdrawn, and that Claims 64, 66, 69 and 80 be allowed.

Applicant has now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-12, 24-33, 44-53, 64, 66 and 68-80.

Applicant does not believe that any fees are due; however, in the event that any fees are due, the Director is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

Should the Examiner deem that any further amendment is desirable to place this Application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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